

**ENTERED**

August 13, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

AMERICAN TECHNOLOGIES, INC.,

Plaintiff,

VS.

COPPERTREE APARTMENTS LLC; dba

COPPERTREE INVESTMENTS II LLC, *et al*,

Defendants.

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CIVIL ACTION NO. 4:19-CV-1037

**ORDER ADOPTING MEMORANDUM AND ORDER**

Pending before the Court in the above referenced proceeding is Third Party Defendant the Cone Company, Inc.'s Motion to Dismiss (Doc. No. 54) and Judge Stacy's Memorandum and Recommendation (Doc. No. 62) that the Court grant the Movant's Motion to Dismiss.

Upon review, the Court agrees with the Magistrate Judge's conclusion that there is no authority that would allow for the exercise of personal jurisdiction over Defendant Cone based on the sole fact that the Coppertree Property is located in the State of Texas, the Court is without personal jurisdiction over Defendant Cone. Accordingly, it is hereby

**ORDERED** that the Memorandum and Recommendation (Doc. No. 62) is **ADOPTED** and Third Party Defendant the Cone Company, Inc.'s Motion to Dismiss (Doc. No. 54) is **GRANTED**.

SIGNED at Houston, Texas, this 13<sup>th</sup> day of August 2021.



ANDREW S. HANEN  
UNITED STATES DISTRICT JUDGE